



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 19-162

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated December 2014.]

2. Form, Style and Placement in Administrative Code

a. The text of the proposed rule repeals s. FD 4.03 (8), but that treatment is not mentioned or explained in the plain language analysis, the summary of factual data and analytical methodologies, or in the portion of the fiscal estimate and economic impact analysis form that sets forth the policy problem addressed by the proposed rule. The other proposed changes are explained in each of those places, and the board should explain the reason and analysis behind repealing this provision as well.

b. In its comparison with other states, the board mentions that Minnesota does not specify the length of a continuing education hour. While the statutes pertaining specifically to funeral service providers do not define that term, other statutes in the Minnesota code define similar terms (for example, an educational hour or a contact hour), as they relate to other professional regulations. Accordingly, it appears that the plain meaning of an “hour” as 60 minutes may be used in Minnesota unless otherwise defined.

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. In s. FD 4.03 (6) of the current rule, in order to be consistent and grant credits hours for teaching in the same manner as credits hours are granted for attendance under the proposed rule, the last sentence should be amended to insert the word “credit” before the phrase “hour of presentation”.

b. In the board's analysis for the proposed rule, the descriptions for the analysis and supporting documents and fiscal estimate and economic impact analyses should be revised from future tense to past tense.